

chapter 15 of the general laws of Texas, passed by the called session of the Seventeenth Legislature, approved May 4, A. D. 1882, relating to the hiring of county convicts," was taken up out of its regular order.

The question being on the adoption of the amendment submitted by the committee reporting said bill,

The amendment was adopted.

The question being on the engrossment of the bill, it was ordered engrossed.

The President pro tem. laid before the Senate, Senate bill No. 2, "An act to amend article 496, chapter 2, title 19, of the Penal Code" with majority and minority reports, the majority opposing the passage of the bill, and the minority favoring it.

(The President in the chair.)

Senator Kleberg moved to substitute the minority for the majority report.

Lost, by the following vote:

YEAS—12.

Bell,	Fowler,	Johnson,
Calhoun,	Getzendaner,	Kilgore,
Camp,	Glasscock,	Kleberg,
Evans,	Harrison,	Stinson,

NAYS—14.

Davis,	Jerdone,	Shannon,
Farrar,	Jones,	Terrell,
Hall,	Pfeuffer,	Traylor,
Houston of Bexar,	Pope,	Woods,
Houston of Wheeler,	Randolph,	

Senator Davis moved the adoption of the majority report.

Carried by the following vote:

YEAS—16.

Davis,	Houston of Wheeler,	Randolph,
Farrar,	Jerdone,	Shannon,
Garrison,	Jones,	Terrell,
Glasscock,	Pfeuffer,	Traylor,
Hall,	Pope,	Woods,
Houston of Bexar,		

NAYS—11.

Bell,	Fowler,	Kilgore,
Calhoun,	Getzendaner,	Kleberg,
Camp,	Harrison,	Stinson,
Evans,	Johnson,	

Which disposed of the bill.

Senator Kilgore, by leave, introduced a bill entitled "An act to amend article 110, chapter 6 of the Revised Statutes."

Referred to Judiciary Committee No. 1.

Senator Evans submitted the following written reason for voting against the passage of Senate bill No. 71, "An act to transfer to the general-revenue account certain funds now in the State treasury to the credit of other accounts:"

My reason for voting against the bill is because I believe it in conflict with section 7, article 8 of the Constitution of the State of Texas.

W. A. EVANS.

On motion of Senator Pope,

The Senate adjourned till 10 o'clock to-morrow morning.

THIRTEENTH DAY.

SENATE CHAMBER. }
AUSTIN, January 27, 1885. }

The Senate met pursuant to adjournment.

Lieutenant-Governor Gibbs in the chair.

Roll called.

Quorum present.

Prayer by the Chaplain, Dr. Smoot.

On motion of Senator Randolph,

The reading of the journal of yesterday was dispensed with.

On motion of Senator Pope,

Secretary Ramey was excused from non-attendance, on account of sickness.

On motion of Senator Terrell,

Postmaster Drew was excused from attendance Monday, Tuesday and Wednesday, on account of urgent business.

REPORTS FROM STANDING COMMITTEES.

By Senator Houston of Bexar:

COMMITTEE ROOM.
AUSTIN, January 26, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred Senate bill No. 93, entitled "An act to require the record of official bonds and other bonds or contracts, in which the State of Texas or any county thereof is interested," have carefully examined the same, and a majority of said committee instruct me to report the same back to the Senate with the recommendation that it do not pass.

Respectfully submitted.

HOUSTON of Bexar, Chairman.

COMMITTEE ROOM,
AUSTIN, January 26, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred Senate bill No. 111, entitled "An act to further regulate the practice in the district, county and justice courts of the State of Texas," have carefully examined the same, and a majority of the committee instruct me to report the same back to the Senate with the recommendation that it do not pass.

Respectfully submitted.

HOUSTON of Bexar, Chairman.

COMMITTEE ROOM,
AUSTIN, January 26, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred Senate bill No. 126, entitled "An act prescribing and fixing the venue of suits against foreign corporations, joint stock companies or associations, or acting corporations or associations, doing business in this State, and to provide the mode of serving process on such corporations or associations," have carefully examined the same, and a majority of said committee instruct me to report the same back to the Senate with the accompanying amendments, with the recommendation that it do pass as amended.

All of which is respectfully submitted.

HOUSTON of Bexar, Chairman.

COMMITTEE AMENDMENTS TO SENATE BILL NO. 126.

1. Amend section 1 by adding the words "or in the county where the plaintiffs, or either of them, reside."

2. Amend section 2 so as to read: "Section 2. In any suit against any foreign private or public corporation, joint stock company or association, or acting corporation or association, citation or other process may be served on the president, vice-president, secretary or treasurer, or general manager, or upon any local agent within this State of such corporation, joint stock company or association, or acting corporation or association."

3. Strike out section 3 (emergency clause).

COMMITTEE ROOM,
AUSTIN, January 26, 1885.

Hon. Barnett Gibbs, President of the Senate :

Your Judiciary Committee No. 1, to whom was referred Senate bill No. 69, entitled "An act establishing a reformatory farm for the confinement, reform and utilization of convicts under the age of eighteen years," have carefully examined the same, and instruct me to report the same back to the Senate and recommend that it be referred to the Committee on Penitentiaries.

All of which is respectfully submitted.

HOUSTON of Bexar, Chairman.

COMMITTEE ROOM,
AUSTIN, January 26, 1885.

Hon. Barnett Gibbs, President of the Senate :

Your Judiciary Committee No. 1, to whom was referred Senate bill No. 101, entitled "An act to authorize the Governor to grant pardons and to regulate the mode, manner and procedure therefor, and to provide for the revoking of pardons and to prescribe a penalty for violating the conditions of a pardon," have carefully examined the same, and a majority of the committee instruct me to report the same back to the Senate with the recommendation that it be referred to Judiciary Committee No. 2.

Respectfully submitted.

HOUSTON of Bexar, Chairman.

COMMITTEE ROOM,
AUSTIN, January 26, 1885.

Hon. Barnett Gibbs, President of the Senate :

Your Judiciary Committee No. 1, to whom was referred Senate bill No. 10, entitled "An act to amend article 4, title 2, of the Revised Statutes of the State of Texas," have carefully examined the same, and a majority of the committee instruct me to report the same back to the Senate with the accompanying substitute, with the recommendation that the said substitute do pass.

Respectfully submitted.

HOUSTON of Bexar, Chairman.

COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 10.

An act to amend article 8 of title 2 of Revised Statutes of Texas.

Section 1. Be it enacted by the Legislature of the State of Texas, That article 8, title 2, of the Revised Civil Statutes of the State of Texas be so amended as to read as follows:

"Article 8. All oaths, affidavits or affirmations necessary or required by law, may be administered and a certificate of the fact given by any judge or clerk of a court of record, or by any notary public within this State."

COMMITTEE ROOM,
AUSTIN, January 26, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred Senate bill No. 68, entitled "An act to regulate assignments for the benefit of creditors, and to repeal the assignment act of the Sixteenth Legislature, approved March 24, 1879, and the amendments thereto, passed by the Eighteenth Legislature, and approved April 7, 1883," have carefully examined the same, and a majority of the committee instruct me to report the same back to the Senate with the recommendation that it do not pass, the present law relating to the subject being, in their opinion, sufficient.

Respectfully submitted.

HOUSTON of Bexar, Chairman.

Senator Harrison submitted the following minority report to Senate bill No. 68:

COMMITTEE ROOM,
AUSTIN, January 26, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred Senate bill No. 68, entitled "An act to regulate assignments for the benefit of creditors, and to repeal the present assignment laws, a majority of which committee having reported adversely to said bill, the minority beg leave to submit the following reasons why the bill should become a law:

1. The present law permits an insolvent debtor to be discharged upon the payment of one-third of his indebtedness; whereas the proposed law requires one-half to be paid.
2. The present law fails to provide for adequate notice to creditors by assignee; whereas the proposed law provides for full and specific notice.

3. The present law requires six months to elapse before any distribution or final settlement of assignor's estate can be made; the proposed law reduces it to four.

4. The present law fails to specify the amount of assignee's bond, or fix the number of sureties on same; the proposed law does both.

5. The present law legalizes a fraudulent assignment, and prohibits it from being assailed for fraud in the courts, whereas the proposed law prohibits fraud and requires every assignment to be made in good faith, and not for the purpose of hindering, delaying and defrauding creditors.

6. The present law permits a fraudulent assignor, after he has transferred a part of his estate to a third person, to assign the remainder under section 3 of the act, and exact releases; whereas the proposed law, in such a case, takes away that right, and requires him to make a general assignment for all creditors.

7. The present law is silent as to when the assignment shall be recorded; whereas the proposed law requires it to be recorded immediately upon being delivered to the assignee.

8. The present law is vague, indefinite and uncertain as to the mode and manner of closing up the assigned estate, and distributing the excess in hands of assignee, and permits such settlement to be made, and the assignee to file his final report and obtain a discharge without notice being given to any one; whereas the proposed law makes full, ample and complete provisions for the closing up and final settlement of the assigned estate, and requires the assignee to give twenty days notice to all parties interested before filing such report for final settlement.

9. The present law permits any person to act as assignee; whereas the proposed law prohibits any kinsman or creditor from acting as assignee.

10. The present law is silent as to when the title to the assigned property passes to the assignee. The proposed law fixes the time.

11. The present law fails to provide what shall be done with assigned property in case no creditor accepts the terms of the assignment; whereas the proposed law makes ample provisions for such a contingency.

We submit that the present law is seriously defective, and owing to this fact, and the further fact that the Federal courts and State courts have given such different constructions to the law as to leave our home creditors to the mercy of non-resident creditors, we therefore report the bill back with the recommendation that it do pass.

All of which is respectfully submitted.

HARRISON,
KLEBERG,
WOODS.

By Senator Houston of Bexar:

COMMITTEE ROOM,
AUSTIN, January 26, 1885.

Hon. Barnett Gibbs, President of the Senate :

Your Judiciary Committee No. 1, to whom was referred Senate bill No. 92, entitled "An act to provide the manner of serving citations on foreign corporations doing business within this State," have carefully examined the same, and a majority of said committee instruct me to report the same back to the Senate with the recommendation that it lie on the table, the committee having reported favorably a bill relating to the same subject.

All of which is respectfully submitted.

HOUSTON of Bexar, Chairman.

By Senator Davis:

COMMITTEE ROOM,
AUSTIN, January 26, 1885.

Hon. Barnett Gibbs, President of the Senate :

Your Judiciary Committee No. 2, to whom was referred Senate bill No. 65, entitled "An act to amend article 690, chapter 90 of the Penal Code of the State, amended April 4, 1881," have carefully examined the same, and instruct me to report the accompanying substitute therefor, and to recommend that such substitute do pass.

All of which is respectfully submitted.

DAVIS, Chairman.

COMMITTEE ROOM,
AUSTIN, January 26, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Judiciary Committee No. 2, to whom was referred Senate bill No. 84, entitled "An act to amend article 178, chapter 4 of title 6 of the Penal Code, so as to prevent selling

liquors on election day," have carefully examined the same, and instruct me to report the same back with the recommendation that it do pass.

Under the present statute a person cannot be convicted for keeping open a saloon or other place where intoxicating liquors are sold on election day, unless in his election precinct. The bill amends the law so as to make it an offense to have open a bar-room in any precinct in which an election is being held.

All of which is respectfully submitted.

DAVIS, Chairman.

COMMITTEE ROOM,
AUSTIN, January 26, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Judiciary Committee No. 2, to whom was referred Senate bill No. 85, entitled "An act to amend article 685, title 8, chapter 5 of the Code of Criminal Procedure of the State of Texas," have carefully examined the same, and instruct me to report the same back with the recommendation that it do lie on the table, because Senate bill No. —, embracing the same subject, has heretofore been reported by the committee.

All of which is respectfully submitted.

DAVIS, Chairman.

COMMITTEE ROOM,
AUSTIN, January 26, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Judiciary Committee No. 2, to whom was referred Senate bill No. 89, entitled "An act to amend chapter 4 of title 7 of the Code of Criminal Procedure of the State of Texas, by adding article 451a immediately after article 451, for the purpose of specifying what notice shall be given before amendment to scire facias proceedings made," have carefully examined the same, and instruct me to report the same back with the recommendation that it do pass.

All of which is respectfully submitted.

DAVIS, Chairman.

COMMITTEE ROOM,
AUSTIN, January 26, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Judiciary Committee No. 2, to whom was referred Senate bill No. 90, entitled "An act to amend article 3031 of the Revised Civil Statutes of Texas," have carefully examined the same, and instruct me to report the same back with the recommendation that it do not pass. The bill provides that only twelve jurors shall be kept in attendance upon the district court and six on the county court, instead of twenty-four on the district court and twelve on the county court, as now prescribed by law.

All of which is respectfully submitted.

DAVIS, Chairman.

COMMITTEE ROOM,
AUSTIN, January 26, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Judiciary Committee No. 2, to whom was referred Senate bill No. 91, entitled "An act to repeal articles 3051, 3052, 3053, and to amend article 3055 of the Revised Civil Statutes of Texas," have carefully examined the same, and instruct me to report the same back with the recommendation that it do not pass. The bill seeks to amend the articles named so as to conform to the changes proposed in Senate bill No. 90.

All of which is respectfully submitted.

DAVIS, Chairman.

COMMITTEE ROOM,
AUSTIN, January 26, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Judiciary Committee No. 2, to whom was referred Senate bill No. 94, entitled "An act to amend article 685 of the Code of Criminal Procedure," have carefully examined the same, and instruct me to report the same back with the recommendation that it do lie on the table, because Senate bill No. —, embracing the same object, has heretofore been reported by this committee.

All of which is respectfully submitted.

DAVIS, Chairman.

COMMITTEE ROOM,
AUSTIN, January 26, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Judiciary Committee No. 2, to whom was referred Sen-

ate bill No. 95, entitled "An act to amend articles 749 and 750 of the Code of Criminal Procedure," have carefully examined the same, and instruct me to report the same back with the recommendation that it do not pass.

The main purpose of the bill is to render the confessions of the defendant made under compulsion, or while in prison or in custody, admissible as evidence, and sufficient to convict when corroborated by other evidence.

All of which is respectfully submitted.

DAVIS, Chairman.

COMMITTEE ROOM,
AUSTIN, January 26, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Judiciary Committee No. 2, to whom was referred Senate bill No. 97, entitled "An act amending chapter 3, article 816, of the Penal Code of the State of Texas," have carefully examined the same, and instruct me to report the same back with the recommendation that it do not pass.

All of which is respectfully submitted.

DAVIS, Chairman.

COMMITTEE ROOM,
AUSTIN, January 26, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Judiciary Committee No. 2, to whom was referred Senate bill No. 103, entitled "An act to amend articles 3227, 3228, 3229, 3230, 3231, 3233, 3234, 3239 of, and to add article 3233a to, title 63 of the Revised Statutes of the State of Texas," have carefully examined the same, and instruct me to report the same back with the recommendation that it do pass.

All of which is respectfully submitted.

DAVIS, Chairman.

COMMITTEE ROOM,
AUSTIN, January 26, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred Senate bill No. 113, entitled "An act to repeal section 4 of an act entitled 'an act defining who are officers of the State, and prescribing their rights, powers, duties and privileges,' approved February 15, 1881," have carefully examined the same, and the majority of the committee instruct me to report the same back with a recommendation that it do pass.

The bill seeks to repeal the fourth section of the act of February 15, 1881, which provides that no court of this State shall have power, authority or jurisdiction to issue the writ of mandamus, or injunction, or any other mandatory or compulsory writ or process, against any of the officers of the executive departments of the government of this State, to order or compel the performance of any act or duty which by the laws of this State they, or either of them, are authorized to perform, whether such act or duty be judicial, ministerial or discretionary.

All of which is respectfully submitted.

DAVIS, for Committee.

COMMITTEE ROOM,
AUSTIN, January 26, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Judiciary Committee No. 2, to whom was referred Senate bill No. 132, entitled "An act to define and punish the conversion of personal property by hirers, borrowers and other bailees," have carefully examined the same, and instruct me to report the same back with the recommendation that it do pass.

All of which is respectfully submitted.

DAVIS, Chairman.

By Senator Bell:

COMMITTEE ROOM,
AUSTIN, January 26, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on Engrossed bills have carefully examined and compared Senate bill No. 19, being "An act to amend and carry into effect article 4170 of the Revised Statutes of Texas," and find the same correctly engrossed.

BELL, Chairman.

COMMITTEE ROOM,
AUSTIN, January 27, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 110, being "An act to amend an act entitled 'an act to regulate the appointment of notaries

public,' etc., approved April 1, 1881," and find the same correctly engrossed.

BELL, Chairman.

COMMITTEE ROOM,
AUSTIN, January 26, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 71, being "An act to transfer to the general revenue account certain funds now in the State treasury to the credit of other accounts," and find the same correctly engrossed.

BELL, Chairman.

COMMITTEE ROOM,
AUSTIN, January 26, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 88, being "An act to further regulate attachments in county and justices' courts," and find the same correctly engrossed.

BELL, Chairman.

By Senator Fowler:

COMMITTEE ROOM,
AUSTIN, January 26, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on Judicial Districts, to whom was referred Senate bill No. 121, entitled "A bill to be entitled an act to amend section 35 of an act entitled 'an act to redistrict the State into judicial districts, and to fix the time for holding court therein, and to provide for the election of judges and district attorneys in said districts at the next general election to be held on the first Tuesday after the first Monday in November, 1884,' approved April 9, 1883," have carefully examined the same, and instruct me to report the same back with the recommendation that it do pass, with the accompanying amendment.

The purpose of this bill is to change the time of holding the district court in the several counties of the thirty-fifth judicial district, and to make all process issued from the district courts of said counties returnable to the terms of court as fixed by this bill. This change is recommended by the presiding judge of said district.

All of which is respectfully submitted.

FOWLER, Chairman.

COMMITTEE AMENDMENT TO SENATE BILL NO. 121.

Amend by adding an emergency clause to the bill.

By Senator Houston, of Wheeler:

"An act to amend articles 29 and 30 of the Code of Criminal Procedure for the State of Texas."

Referred to Judiciary Committee No. 2.

By Senator Jones:

"An act to provide for the selection and purchase of a site for, and the building thereon, of a new State penitentiary, and to make an appropriation therefor."

Referred to Committee on Penitentiaries.

"An act to amend article 3200 of an act entitled 'an act to adopt and establish the Revised Civil Statutes of the State of Texas.'"

Referred to Judiciary Committee No. 1.

By Senator Pfeuffer:

A bill entitled "An act to amend sections 2, 9, 12, 22, 23, 29, 30, 33, 36, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 51, 53, 54, 56, 57, 59, 60, 61, 62, 63, 64, 68, 73, 75, 77, 78, 79, 79d, 83, 84, 85 and 87 of an act entitled 'an act to establish and maintain a system of public free schools for the State of Texas, and to repeal so much of chapter 3, of title 78, of the Revised Civil Statutes of Texas as refer to public free schools outside of incorporated cities and towns, assuming or having assumed control of their public free schools, and all laws and parts of laws in conflict with this act,' the same being chapter 25, general laws of the special session of the Eighteenth Legislature, 1884;

and to add thereto section 12a, 12b, 12c, 12d, 12e, and sections 58a, 58b and 58c, and repealing all laws and parts of laws in conflict with the provisions of this act and the original act of which it is amendatory."

On motion of Senator Davis, two hundred copies of the bill were ordered printed.

The bill was then referred to the Committee on Educational Affairs.

By Senator Glasscock:

"An act for the relief of W. J. Salyer, and to validate donation warrant No. 509, and the survey made by virtue thereof, issued by G. W. Hockley, Secretary of War, on fourteenth of August, 1838, for six hundred and forty acres of land, to John Sharp."

Referred to Committee on Private Land Claims.

By Senator Traylor:

"An act making appropriations for the support of the State government for the year beginning March 1, 1885, and ending February 28, 1887."

On motion of Senator Traylor, one hundred copies were ordered printed.

The bill was then referred to the Finance Committee.

By Senator Farrar:

"An act to amend chapter 3, title 53 of the Revised Statutes of Texas, by adding thereto article 2971a."

Referred to Judiciary Committee No. 1.

"An act to amend article 387 of the Penal Code of the State of Texas."

Referred to Judiciary Committee No. 2.

By Senator Calhoun:

"An act to amend section 30 of an act entitled 'an act to redistrict the State into judicial districts, and to fix the time for holding court therein, and to provide for the election of judges and district attorneys in said districts at the next general election, to be held on the first Tuesday after the first Monday in November, 1884,' approved April 9, 1883."

Referred to Committee on Judicial Districts.

Senator Glasscock gave notice of a motion to reconsider the vote by which the Senate, on yesterday, refused to substitute the minority report for the majority report on Senate bill No. 2, "An act to amend article 496, chapter 2, title 19 of the Penal Code."

The President signed Senate bill No. 12, "An act to prescribe the times of holding district court in the several counties of the twenty-fifth judicial district of the State of Texas."

The hour for the consideration of the special order having arrived,

Senate bill No. 79, "An act requiring the Comptroller of Public Accounts, Commissioner of the General Land Office and State Treasurer to employ females, when their services can be had, to fill one-half the clerkships in the several departments under the control of these officers," it was laid before the Senate by the President, with a majority and minority report.

(Senator Getzendaner in the chair.)

Senator Evans moved that the minority report, favoring the passage of the bill, be adopted.

Pending discussion on the above bill,

A message was received from the House, announcing the passage of House bill No. 21, "An act to amend article 677 of the Penal Code."

(The President in the chair.)

The question being on the adoption of the minority report, it was adopted by the following vote:

YEAS—19.

Bell,	Houston of Bexar,	Perry,
Calhoun,	Houston of Wheeler,	Pope,
Douglass,	Johnson,	Shannon,
Evans,	Jones,	Stinson,
Farrar,	Kilgore,	Traylor,
Fowler,	Kleberg,	Woods.
Harrison,		

NAYS—10.

Camp,	Glasscock,	Pfeuffer,
Davis,	Hall,	Randolph,
Garrison,	Jerdone,	Terrell.
Getzendaner,		

The question being on the engrossment of the bill, it was ordered engrossed by the following vote:

YEAS—19.

Bell,	Houston of Bexar,	Perry,
Calhoun,	Houston of Wheeler,	Pope,
Douglass,	Johnson,	Shannon,
Evans,	Jones,	Stinson,
Farrar,	Kilgore,	Traylor,
Fowler,	Kleberg,	Woods.
Harrison,		

NAYS—10.

Camp,	Glasscock,	Pfeuffer,
Davis,	Hall,	Randolph,
Garrison,	Jerdone,	Terrell.
Getzendaner,		

By leave,

Senator Houston of Bexar introduced a bill entitled "An act to repeal sections 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 22, 23, 25, 27, 28, 30, 31, 83, 198, 199 and 200, and to amend sections 2, 4, 5, 6, 29, 33, 43, 45, 70, 74, 78, 103, 120, 197, 201, 202 and 203 of an act entitled 'an act to incorporate the city of San Antonio and to grant a new charter to said city,' approved August 13, 1870; and to repeal 'an act to incorporate the city of San Antonio,' approved July 17, 1856; and 'an act to incorporate city of San Antonio,' approved February 11, 1860; also an act to amend an act entitled 'an act to incorporate the city of San Antonio, and to grant a new charter to said city,' approved April 18, 1879."

Referred to Judiciary Committee No. 1.

Senator Glasscock sent the following reasons of the undersigned Senators for voting against the adoption of the minority report, and the engrossment of Senate bill No. 79:

We vote no, because under the present law there is nothing prohibiting the employment of ladies in any of the public offices and departments. We have no objections to ladies filling any offices, when they are qualified to do so, but believe the Legislature should not undertake to dictate to officers having the appointing power of their clerks, who they should employ, as such officers are responsible to the people for the manner in which they conduct the business affairs of their offices.

GEO. W. GLASSCOCK,
W. M. JERDONE,
GEORGE PFEUFFER,
W. H. GETZENDANER.

On motion of Senator Stinson,

The Senate adjourned till 10 o'clock to-morrow morning.

FOURTEENTH DAY.

SENATE CHAMBER,
AUSTIN, TEXAS, January 28, 1885. }

The Senate met pursuant to adjournment.

Lieutenant-Governor Gibbs in the chair.

Roll called.

Quorum present.

Prayer by Dr. Poindexter.

On motion of Senator Getzendaner,

The reading of the journal of yesterday was dispensed with.

REPORTS OF STANDING COMMITTEES.

By Senator Fowler:

COMMITTEE ROOM,
AUSTIN, January 26, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 12, being "An act to prescribe the times of holding district court in the several counties comprising the thirtieth judicial district of the State of Texas," and find the same correctly enrolled, and have this day, at 11:50 o'clock a. m., presented the same to the Governor for his approval.

FOWLER, Chairman.

By Senator Bell:

COMMITTEE ROOM,
AUSTIN, January 27, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on Engrossed bills have carefully examined and compared Senate bill No. 35, being "An act to amend article 3602, chapter 15 of the general laws of Texas, passed by the called session of the Seventeenth Legislature, approved May 4, A. D. 1882, relating to the hiring of county convicts," and find the same correctly engrossed.

All of which is respectfully submitted.

BELL, Chairman.

COMMITTEE ROOM,
AUSTIN, January 27, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on Engrossed bills have carefully examined and compared Senate bill No. 8, being "An act to amend chapter 2, article 566 of the Revised Civil Statutes," and find the same correctly engrossed.

All of which is respectfully submitted.

BELL, Chairman.

By Senator Stinson:

COMMITTEE ROOM,
AUSTIN, January 27, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on Private Land Claims, to whom was referred Senate bill No. 55, entitled "An act for the relief of John W. McHorse," have carefully examined the same, and instruct me to report the same back with the recommendation that it do pass.

All of which is respectfully submitted.

STINSON, Chairman.

By Senator Glasscock:

COMMITTEE ROOM,
AUSTIN, January 28, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on Public Buildings and Grounds, to whom was referred Senator Jones' resolution of inquiry as to whether the Capitol Commissioners employed in the erection of the new State Capitol building can be dispensed with, and also requiring the Capitol Board and Superintendent of the Capitol building to report the difference in cost in constructing the exterior walls of the new State House out of Burnet county granite instead of limestone, would report that they have had said resolution under consideration, and are of the opinion that the best interest of the State would be subserved by retaining the Capitol Commissioners as members of the Capitol Board, with all the duties and powers now conferred on them by law. The committee therefore recommends that the Capitol Commissioners be retained.

We are informed that the Capitol Board will be able in about ten days, to report the difference in cost, if any, in building the exterior walls of the State house out of granite instead of limestone rock.

We would respectfully ask that the following resolution offered by Senator Jones be adopted;

Resolved, That the Capitol Board and Superintendent of construction be, and they are hereby requested and instructed to furnish, for the information and use of the Senate, an